

HUMAN SERVICES BOARD

# INTRODUCTION

## DISCUSSION

A hearing was scheduled on November 17, 2004. On November 16, the Board received a letter from the petitioner asking that his hearing be held by phone on November 17, 2004. On November 17, 2004 the hearing officer called the

petitioner's home within the time designated on the hearing notice and was informed that the petitioner was out "running errands". The hearing was rescheduled for December 21, 2004, again by phone.

On December 21, 2004 the hearing officer called the petitioner, who requested that his wife handle the phone call. She quickly became distraught, however, and was unable to meaningfully participate in the hearing. However, the hearing officer understood her to allege that their furnace was not operating and that they had no heat. The weather that day and the night before was extremely cold.

The Department's attorney, who was present during the hearing officer's phone conversation with the petitioner's wife, agreed that the hearing officer could call the local community action office that had made the decision in the petitioner's case. A representative of that office informed the hearing officer that following the denial of the petitioner's application for emergency fuel the community action office had obtained alternative funding on the petitioner's behalf and had arranged for a new furnace to be installed in the petitioner's trailer. That office further informed the hearing officer that it had been led to believe that the new furnace had been successfully installed some

time ago, and it was surprised to learn that the petitioner was alleging that he was without heat.

It was clear to the hearing officer that the community action office was extremely concerned about the petitioner, and it assured the hearing officer that it would promptly contact the petitioner and attempt to resolve his heat problem, and would inform the Board if the problem was not corrected. To date, there has been no indication from either the petitioner or the community action office that the matter has not been successfully resolved.

Given the representation that shortly after the denial of his application for emergency fuel assistance to repair his old furnace the petitioner was able to obtain a new furnace installed in his trailer, and given the assurance on the day of the hearing by the community action office that it would oversee the immediate correction of any heating problem in the petitioner's trailer, there does not appear to be any continuing dispute in this matter. The petitioner is advised to immediately contact the community action office if he has any further problems with his heat, and he can request another hearing before the Board if he is not satisfied with the response he gets to any future request for assistance.

ORDER

The petitioner's appeal is dismissed as moot.

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